

**State of Delaware**  
**Department of Natural Resources and Environmental Control**  
**Division of Air and Waste Management**  
**Air Quality Management Section**  
156 South State Street  
Dover, DE 19901

**Regulation No. 30 (Title V) Operating Permit**  
**Facility I.D. Number: 1000300111**  
**Permit Number: AQM-003/00111-Renewal 1**

Effective Date: October 23, 2006.      Expiration Date: October 23, 2011.

Pursuant to 7 Del. C., Chapter 60, Section 6003 and the State of Delaware "Regulations Governing the Control of Air Pollution," Regulation No.1102, Section 2 and Regulation No. 30, Section 7(b), approval by the Department of Natural Resources and Environmental Control (Department) is hereby granted to operate the emission units listed in Condition 1 of this permit; subject to the terms and conditions of this permit.

This approval is granted to:

Permittee (hereafter referred to as "Company")	Plant Site Location (hereafter referred to as "Facility")
Delaware Solid Waste Authority PO Box 455 Dover, DE 19903 Responsible Official: Pasquale S. Canzano Title: Chief Operating Officer	Cherry Island Landfill 1706 E. 12 <sup>th</sup> Street Wilmington, Delaware 19809

The nature of business of the Facility is Municipal Solid Waste Disposal. The Standard Industrial Classification code is 4953.

All terms and conditions of this permit are enforceable by the Department and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as "State Enforceable Only." [*Reference Regulation No. 30 Section 6(b)(1) dated 12/11/00*]

\_\_\_\_\_  
Shaikh A. Tayeb  
Engineer  
Engineering & Compliance Branch  
(302) 323-4542

\_\_\_\_\_  
Date

\_\_\_\_\_  
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\_\_\_\_\_  
Date

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**Condition 1. Emission Units Identification.** [Reference Regulation No. 30 Section 3(c)(1) dated 11/15/93]

**a. Emission Units Information.**

Emission Units	Emission Unit Description
Emission Unit 1	Chesmont Engineering candlestick flare with a maximum rated gas flow of 1200 scfm
Emission Unit 2	Twelve (12) Passive Elevated Combustion Flares.
Emission Unit 3	Landfill and landfill gas collection system.
Emission Unit 4	Gas treatment plant.
Emission Unit 5	East Flare: Open flare with a maximum rated gas flow rate of 3000 scfm
Emission Unit 6	North Flare: Open flare with a maximum rated gas flow rate of 3000 scfm

**b. Regulation No. 1102 Permit Identification.**

Reference	Full Regulation No.1102 Permit Designation
<u>APC-90/0133</u>	<u>APC-90/0133-Operation (Amendment 2)</u> , dated September 26, 1997. Chesmont Engineering candle flare with a maximum rated gas flow of 1200 scfm.
<u>APC-95/0466</u>	<u>APC-95/0466-Operation</u> , dated May 15, 1995. Twelve (12) Passive Elevated Combustion Flares.
<u>APC-2004/0710</u>	<u>APC-2004/0710-Operation (NSPS)(MACT)</u> , dated September 28, 2005. Two (2) LFG Specialties, LLC open flares with a maximum rated gas flow of 3000 scfm each.

**Condition 2. General Requirements.****a. Certification.**

- Each document submitted to the Department/EPA as required by this permit shall be certified by a Responsible Official as to truth, accuracy, and completeness. Such certification shall be signed by a Responsible Official and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [Reference Regulation No. 30 Section 5(f) dated 11/15/93 and 6(c)(1) dated 12/11/00]
- Any report of deviations required under Conditions 3(c)(2)(ii) or 3(c)(2)(iii) that must be submitted to the Department within ten (10) calendar days of the deviation, may be submitted in the first instance without a certification provided a certification meeting the requirements of Condition 2(a)(1) is submitted to the Department within ten (10) calendar days thereafter, together with any corrected or supplemental information required concerning the deviation. [Reference Regulation No. 30 Section 6(a)(3)(iii)(D) dated 12/11/00]
- Each document submitted to the Department/EPA pursuant to this permit shall be sent to the following addresses:

State of Delaware – DNREC Division of Air and Waste Management	United States Environmental Protection Agency Associate Director of Enforcement (3AP12)
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Air Quality Management Section 156 South State Street Dover, DE 19901 ATTN:Program Administrator	1650 Arch Street Philadelphia, PA 19103
No. of Originals: <u>1</u> No. of Copies: <u>2</u>	No. of Copies: <u>1</u>

**b. Compliance.**

1. The Company shall comply with all terms and conditions of this permit. Any noncompliance with this permit constitutes a violation of the applicable requirements under the Clean Air Act, and/or the State of Delaware "Regulations Governing the Control of Air Pollution," and is grounds for an enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal. *[Reference Regulation No. 30 Section 6(a)(7)(i) dated 12/11/00]*
2.
  - i. For applicable requirements with which the source is in compliance, the Company shall continue to comply with such requirements. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(A) dated 11/15/93 and 6(c)(3) dated 12/11/00]*
  - ii. For applicable requirements that will become effective during the term of this permit, the Company shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(B) dated 11/15/93 and 6(c)(3) dated 12/11/00]*
3. Nothing in Condition 2(b)(1) of this permit shall be construed to preclude the Company from making changes consistent with Condition 2(m)(3) [Minor Permit Modifications] or Condition 4(a) [Operational Flexibility]. *[Reference Regulation No. 30 Sections 6(h) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]*
4. The fact that it would have been necessary to halt or reduce an activity in order to maintain compliance with the terms and conditions of this permit shall not constitute a defense for the Company in any enforcement action. Nothing in this permit shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. *[Reference Regulation No. 30 Section 6(a)(7)(ii) dated 12/11/00]*
5. The Company may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency or malfunction if both the record keeping requirements in Condition 3(b)(2)(iii) and the reporting requirements in Condition 3(c)(2)(ii)(A) are satisfied. *[Reference Regulation No. 30 Section 6(g)(2) dated 12/11/00]*
6.
  - i. In any enforcement proceeding, the Company seeking to establish the occurrence of an emergency or malfunction has the burden of proof. *[Reference Regulation No. 30 Section 6(g)(4) dated 12/11/00]*
  - ii. The provisions of Regulation No. 30 pertaining to Emergency/Malfunctions as defined in Conditions Nos. 2(b)(5); 2(b)(6); 3(b)(2)(iii); and 3(c)(2)(ii)(A) of this permit are in

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addition to any emergency or malfunction provision contained in any applicable requirement. *[Reference Regulation No. 30 Section 6(g)(5) dated 12/11/00]*

7. Reserved.
8. If required, the schedule of compliance in Condition 5 of this permit is supplemental to and shall not sanction noncompliance with the applicable requirements upon which it is based. *[Reference Regulation No. 30 Section 5(d)(8)(iii)(C) dated 11/15/93]*
9. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate noncompliance with any term of this permit. *[Reference 62 FR 8314 dated 2/24/97]*
- c. **Confidentiality.** The Company may make a claim of confidentiality for any information or records submitted to the Department. However, by submitting a permit application, the Company waives any right to confidentiality as to the contents of its permit, and the permit contents will not be entitled to protection under 7 Del. C., Chapter 60, Section 6014. *[Reference Regulation No. 30 Sections 5(a)(4) dated 11/15/93, 6(a)(3)(iii)(E) dated 12/11/00, and 6(a)(7)(v) dated 12/11/00]*
  1. Confidential information shall meet the requirements of 7 Del. C., Chapter 60, Section 6014, and 29 Del. C., Chapter 100. *[Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]*
  2. If the Company submits information to the Department under a claim of confidentiality, the Company shall also submit a copy of such information directly to the EPA, if the Department requests that the Company do so. *[Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]*
- d. **Construction, Installation, or Alteration.** The Company shall not initiate construction, installation, or alteration of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department under Regulation No. 1102, and, when applicable, Regulation No. 25, and receiving approval of such application from the Department; except as exempted in Regulation No. 1102 Section 2.2 of the State of Delaware "Regulations Governing the Control of Air Pollution." *[Reference Regulation No. 1102 Section 2.1 dated 6/11/06 and Regulation No. 30 Section 7(b)(3) dated 12/11/00]*
- e. **Definitions/Abbreviations.** Except as specifically provided for below, for the purposes of this permit, terms used herein shall have the same meaning accorded to them under the applicable requirements of the Clean Air Act and the State of Delaware "**Regulations Governing the Control of Air Pollution.**"
  1. "Act" means the Clean Air Act, as amended by the Clean Air Act Amendments of November 15, 1990, 42 U.S.C. 7401 et seq. *[Reference Regulation No. 30 Section 2 dated 11/15/93]*
  2. "AP-42" means the Compilation Of Air Pollutant Emission Factors, Fifth Edition, AP-42, dated January 15, 1995, as amended with Supplements "A" dated February 1996, "B" dated November 1996, "C" dated November 1997, "D" dated August 1998, "E" dated September 1999, and "F" dated September 2000 and the December 2001 update, the December 2002 update and the December 2003 update.
  3. "CFR" means Code of Federal Regulations.

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4. "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the sources, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. *[Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]*
5. "Malfunction" means any sudden and unavoidable failure of air pollution control equipment or of a process to operate in a normal or usual manner, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the malfunction. A malfunction shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. *[Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]*
6. "Number 2 (No. 2) fuel oil" means distillate oil.
7. "Reg." and "Regulation" mean State of Delaware **"Regulations Governing the Control of Air Pollution."**
8. **"Regulations Governing the Control of Air Pollution"** means the codification of those regulations enacted by the Delaware Department of Natural Resources and Environmental Control, in accordance with 7 Del. C., Chapter 60, Section 6010.

**f. Duty to Supplement.**

1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the Company shall promptly submit to the Department such supplementary facts or corrected information. *[Reference Regulation No. 30 Section 5(b) dated 11/15/93]*
2. The Company shall promptly submit to the Department information as necessary to address any requirement(s) that become applicable to the source after the date it filed a complete application but prior to the release of a corresponding draft permit. *[Reference Regulation No. 30 Section 5(b) dated 11/15/93]*
3. The Company shall furnish to the Department, upon receipt of a written request and within a reasonable time specified by the Department:
  - i. Any information that the Department determines is reasonable necessary to evaluate or take final action on any permit application submitted in accordance with Condition 2(l) or 2(m) of this permit. The Company may request an extension to the deadline the Department may impose on the response for such information. *[Reference Regulation No. 30 Section 5(a)(2)(iii) dated 11/15/93]*

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- ii. Any information that the Department requests to determine whether cause exists to modify, terminate, or revoke this permit, or to determine compliance with the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
- iii. Copies of any record(s) required to be kept by this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
- g. **Emission Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. *[Reference Regulation No. 30 Section 6(a)(9) dated 12/11/00]*
- h. **Fees.** The Company shall pay fees to the Department consistent with the fee schedule established by the Delaware General Assembly. *[Reference Regulation No. 30 Section 6(a)(8) dated 12/11/00 and Section 9 dated 11/15/93]*
- i. **Inspection and Entry Requirements.** Upon presentation of identification, the Company shall allow authorized officials of the Department to perform the following:
  - 1. Enter upon the Company's premises where a source is located or an emissions-related activity is conducted, or where records that must be kept under the terms and conditions of this permit are located. *[Reference Regulation No. 30 Section 6(c)(2)(i) dated 12/11/00]*
  - 2. Have access to and copy, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(c)(2)(ii) dated 12/11/00]*
  - 3. Inspect, at reasonable times and using reasonable safety practices, any facility, equipment (including monitoring and air pollution control equipment), practice, or operation regulated or required under this permit. *[Reference Regulation No. 30 Section 6(c)(2)(iii) dated 12/11/00]*
  - 4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement. *[Reference Regulation No. 30 Section 6(c)(2)(iv) dated 12/11/00]*
- j. **Permit and Application Consultation.** The Company is encouraged to consult with Department personnel before submitting an application or, at any other time, concerning the operation, construction, expansion, or modification of any installation, or concerning the required pollution control devices or system, the efficiency of such devices or system, or the pollution problem related to the installation. *[Reference Regulation No. 30 Section 5(a)(1)(vii) dated 11/15/93]*
- k. **Permit Availability.** The Company shall have available at the facility at all times a copy of this permit and shall provide a copy of this permit to the Department upon request. *[Reference Regulation No. 1102 Section 8.1 dated 6/11/06]*
- l. **Permit Renewal.** This permit expires on **October 23, 2011** except as provided in Condition 2(l)(3) below. *[Reference Regulation No. 30 Section 6(a)(2) dated 12/11/00]*
  - 1. Applications for permit renewal shall be subject to the same procedural requirements, including those for public participation, *affected state* comment, and EPA review, that apply to initial permit issuance under Regulation No. 30 Section 7(a), except that an application for permit

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renewal may address only those portions of the permit that the Department determines require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The Department may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. *[Reference Regulation No. 30 Section 7(c)(1) dated 12/11/00]*

2. The Company's right to operate shall cease upon the expiration date unless a timely and complete renewal application has been submitted to the Department twelve (12) months prior to the expiration date of this permit. *[Reference Regulation No. 30 Section 7(c)(2) dated 12/11/00]*
3. If a timely and complete application for a permit renewal is submitted to the Department pursuant to Regulation No. 30, Section 5(a)(2)(iv), dated 11/15/93, and Section 7(c)(1), dated 12/11/00, and the Department, through no fault of the Company, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time. *[Reference Regulation No. 30 Section 7(c)(3) dated 12/11/00]*

**m. Permit Revision and Termination.**

1. i. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. *[Reference Regulation No. 30 Section 6(a)(7)(iii) dated 12/11/00]*
  - ii. Except as provided under Condition 2(m)(3) [Minor Permit Modification], the filing of a request by the Company for a permit modification, revocation and reissuance, or termination, or of a modification of planned changes or anticipated noncompliance does not stay any term or condition of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(iii) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]*
2. "Administrative Permit Amendment." When required, the Company shall submit to the Department a request for an administrative permit amendment in accordance with Regulation No. 30 Section 7(d) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(d) dated 12/11/00]*
3. "Minor Permit Modification." When required, the Company shall submit to the Department an application for a minor permit modification in accordance with Regulation No. 30 Section 7(e)(1) and 7(e)(2) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(e)(1) dated 12/11/00 and 7(e)(2) dated 12/11/00]*
  - i. For a minor permit modification, during the period of time between the time the Company makes the change or changes proposed in the minor permit modification application and the time that the Department takes action on the application, the Company shall comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period the Company, at its own risk, need not comply with the existing terms and conditions of this permit that it seeks to modify. *[Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]*



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- ii. If the Company fails to comply with its proposed permit terms and conditions during this time period, the existing terms and conditions of this permit may be enforced against the Company. *[Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]*
4. "Significant Permit Modification." When required, the Company shall submit to the Department an application for a significant permit modification in accordance with Regulation No. 30 Section 7(e)(3) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(e)(3) dated 12/11/00]*
5. i. When the Company is required to meet the requirements under section 112(g) of the Act or to obtain a preconstruction permit under the State of Delaware "**Regulations Governing the Control of Air Pollution.**" the Company shall file a complete application to revise this permit within twelve (12) months of commencing operation of the construction or modification. *[Reference Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]*
- ii. When the Company is required to obtain a preconstruction permit, the Company may submit an application to revise this permit for concurrent processing. The revision request for this permit when submitted for concurrent processing shall be submitted to the Department with the Company's preconstruction review application or at such later time as the Department may allow. Where this permit would prohibit such construction or change in operation, the Company shall obtain a permit revision before commencing operation. *[Reference Regulation No. 1102 Sections 11.2(j), 11.5 and 12.4, dated 6/1/06, and Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]*
- iii. Where an application is not submitted for concurrent processing, the Company shall obtain an operating permit under the State of Delaware "**Regulations Governing the Control of Air Pollution**" prior to commencing operation of the construction or modification to cover the period between the date operation is commenced and until such time as operation is approved under Regulation No. 30. *[Reference Regulation No. 1102 Section 2.1 dated 6/11/06]*
6. "Permit Termination." The Company may at any time apply for termination of this permit in accordance with Regulation No. 30 Section 7(h)(4) or Section 7(h)(5) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Sections 7(h)(4) dated 12/11/00 and 7(h)(5) dated 12/11/00]*

**n. Permit Transfer.**

1. A change in ownership or operational control of this facility shall be treated as an administrative permit amendment where the Department has determined that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new owner has been submitted to the Department. *[Reference Regulation No. 30 Section 7(d)(1)(iv) dated 12/11/00]*
2. In addition to any written agreement submitted by the Company in accordance with Condition 2(n)(1), the Company shall have on file at the Department a statement meeting the requirements of 7 Del. C., Chapter 79, Section 7902. This permit condition is state enforceable only. *[Reference 7 Del. C., Chapter 79 dated 7/20/92]*

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3. The written agreement required in Condition 2(n)(1) of this permit shall be provided to the Department within a minimum of thirty (30) calendar days prior to the specific date for transfer and shall indicate that the transfer is agreeable to both the current and new owner. *[Reference Regulation No. 1102 Section 7.1 dated 6/11/06]*

- o. Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege. *[Reference Regulation No. 30 Section 6(a)(7)(iv) dated 12/11/00]*

**p. Risk Management Plan Submissions.**

1. In the event this stationary source, as defined in the State of Delaware "**Accidental Release Prevention (ARP) Regulation**" Section 4, is subject to or becomes subject to Section 5 of the "**ARP Regulation**", dated January 11, 1999, the owner or operator shall submit a risk management plan (RMP) to the Environmental Protection Agency's RMP Reporting Center by the date specified in Section 5.10 and required revisions as specified in Section 5.190. A certification statement shall also be submitted as mandated by Section 5.185. *[Reference Regulation No. 30 Section 6(a)(4) dated 12/11/00, State of Delaware "**Accidental Release Prevention Regulation**" dated 1/11/99 and Delaware; Approval of Accidental Release Prevention Program, Federal Register/Vol. 6, No. 11 pages 30818-22 dated June 8, 2001]*
2. If this stationary source, as defined in the State of Delaware "**ARP Regulation**" Section 4, is not subject to Section 5 but is subject or becomes subject to Section 6 of the "**ARP Regulation**" dated January 11, 1999, the owner or operator shall submit a Delaware RMP to the State of Delaware's Accidental Release Prevention group by the date specified in Section 6.10 and required revisions as specified by Section 6.60(j). *[Reference State of Delaware "Accidental Release Prevention Regulation" dated 1/11/99]*

**q. Protection of Stratospheric Ozone.**

When applicable, this Facility shall comply with the following requirements: *[Reference 40 CFR Part 82 "**Protection of Stratospheric Ozone**" revised as of 7/1/97]*

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - i. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a process that uses a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
  - ii. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - iii. The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.

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- iv. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2. Any person servicing, maintaining, or repairing appliances, except for motor vehicles, shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B. In addition, Subpart F applies to refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment.
  - i. Persons owning appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to §82.154 and §82.156.
  - ii. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - iii. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - iv. Persons performing maintenance, service, repair, or disposal of appliances must certify with the Administrator pursuant to §82.158 and §82.162.
  - v. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152)
  - vi. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
- 3. Owners/Operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82, Subpart F §82.166.
- 4. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 5. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant. These systems are regulated under 40 CFR Part 82, Subpart F.

- 6. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant new Alternatives Program (SNAP)

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**Condition 2. General Requirements Continued**

promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program.

- r. **Severability.** The provisions of this permit are severable. If any part of this permit is held invalid, the application of such part to other persons or circumstances and the remainder of this permit shall not be affected thereby and shall remain valid and in effect. *[Reference Regulation No. 30 Section 6(a)(6) dated 12/11/00]*

**Condition 3. Specific Requirements.**

- a. **Emission Limitations/Standards and/or Operational Limitations/Standards.** The Company shall comply with the emission limitations/standards detailed in Condition 3 – Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(1) dated 12/11/00]*
- b. **Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping).** The Company shall maintain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all original strip-chart recordings, where appropriate, for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, the permit may specify that records may be maintained in computerized form. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(B) dated 12/11/00]*
1. i. **Specific Requirements.** The Company shall comply with the operational limitation(s), monitoring, testing, and record keeping requirement(s) detailed in Condition 3–Table 1 which are in addition to those in Conditions 3(b)(1)(ii) and 3(b)(2). *[Reference Regulation No. 30 Sections 6(a)(1) dated 12/11/00, 6(a)(3)(i) dated 12/11/00, and 6(a)(10) dated 12/11/00]*
- ii. **General Testing Requirements.** Upon written request of the Department, the Company shall, at the Company's expense, sample the emissions of, or fuel used by, an air contaminant emission source, maintain records and submit reports to the Department on the results of such sampling. *[Reference Regulation No. 17 Section 2.2 dated 7/17/84]*
2. **General Record Keeping Requirements.** The Company shall record, at a minimum, all of the following information.
- i. If required, for each operating scenario identified in Condition 3–Table 1 of this permit, a log that indicates the operating scenario under which each particular emission unit is operating. The Company shall, contemporaneously with changing from one operating scenario to another, record in this log the scenario under which it is operating. *[Reference Regulation No. 30 Section 6(a)(10) dated 12/11/00]*
- ii. The following information to the extent specified in Condition 3 – Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A) dated 12/11/00]*
- A. The date, place, and time of the sampling or measurements. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(aa) dated 12/11/00]*
- B. The date(s) analyses were performed. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(bb) dated 12/11/00]*

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**Condition 3. Specific Requirements Continued**

- C. The company or entity that performed the analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(cc) dated 12/11/00]*
- D. The analytical techniques or methods used. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(dd) dated 12/11/00]*
- E. The results of such analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(ee) dated 12/11/00]*
- F. The operating conditions as existing at the time of sampling or measurement. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(a)(ff) dated 12/11/00]*
- iii. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5); properly signed, contemporaneous operating log(s), or other relevant evidence which indicates that: *[Reference Regulation No. 30 Section 6(g)(3) dated 12/11/00]*
  - A. An emergency or malfunction occurred and the cause(s) of the emergency or malfunction. *[Reference Regulation No. 30 Section 6(g)(3)(i) dated 12/11/00]*
  - B. The facility was at the time of the emergency or malfunction being operating in a prudent and professional manner and in compliance with the generally accepted industry operations and maintenance procedures. *[Reference Regulation No. 30 Section 6(g)(3)(ii) dated 12/11/00]*
  - C. During the period of the emergency or malfunction the Company took all reasonable steps to minimize levels of emissions that exceeded the emission standard(s), or other requirement(s) of this permit. *[Reference Regulation No. 30 Section 6(g)(3)(iii) dated 12/11/00]*
- iv. A copy of the written notice required by Condition 3(c)(2)(iii) for each change made under Condition 4(c) [Operational Flexibility] of this permit shall be maintained with a copy of this permit. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*

**c. Reporting and Compliance Certification Requirements.**

- 1. Specific Reporting/Certification Requirements. The Company shall comply with the Reporting/Certification Requirements detailed in Condition 3 – Table 1 of this permit, which are in addition to those of Conditions 3(c)(2) and 3(c)(3). Each report that contains any deviation(s) from the terms of Condition 3 – Table 1 shall identify the probable cause of the deviation(s) and any corrective action(s) or preventative measure(s) taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii) dated 12/11/00, 6(a)(3)(iii)(C)(cc) dated 12/11/00, and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
- 2. General Reporting Requirements.
  - i. The Company shall submit to the Department a report of any required monitoring not later than the last day of September (covering the period from January 1 through June 30) and the last day of March (covering the period from July 1 through December 31) of each calendar year. The semi-annual reports are due by March 31 and September 30 of each calendar year, and the annual compliance certification is due by March 31 of each calendar year for the previous calendar year. Each report shall identify any deviation(s) from the monitoring, record keeping and reporting requirements under this permit, and the probable cause of the deviation(s) and any corrective actions or preventative

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**Condition 3. Specific Requirements Continued**

measures taken. If no deviation(s) has occurred such shall be stated in the report. [Reference Regulation No. 30 Section 6(a)(3)(iii)(A) dated 12/11/00 and (B) dated 12/11/00, and Section 6(a)(3)(iii)(C)(dd) dated 12/11/00]

- ii. In addition to the semiannual monitoring reports required under Condition 3(c)(2)(i), the Company shall submit to the Department supplemental written report(s)/notice(s) identifying all deviations from permit conditions, probable cause of the deviations, and any corrective actions or preventative measures as follows: [Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]
  - A. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5) of this permit, a notice of any deviation resulting from emergency or malfunction conditions shall be reported to the Department within two (2) working days of the time when the technology-based emission limitations were exceeded. Such notice shall contain a description of the emergency or malfunction, any steps taken to mitigate emissions, and any corrective actions taken. [Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(aa) dated 12/11/00 and 6(g)(3)(iv) dated 12/11/00]
  - B. Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department:
    1. Immediately upon discovery and after activating the appropriate site emergency plan to the Department's 24-hour complaint line (1-800-662-8802) any deviation that poses an imminent and substantial danger to public health, safety, or the environment. [Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(bb) dated 12/11/00]
    2. Immediately upon discovery by calling the Environmental Emergency Notification and Complaint number (800) 662-8802. (State Enforceable Only) [Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(cc) dated 12/11/00]
    3. In a written report pursuant to Condition 3(c)(2)(i) and/or the specific reporting requirements listed in Condition 3 – Table 1. [Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]
  - C. Discharges to the atmosphere in excess of any quantity specified in the State of Delaware "**Reporting of a Discharge of a Pollutant or an Air Contaminant**" Regulation shall be reported, immediately upon discovery and after activating the appropriate site emergency plan, to the Department's 24-hour complaint line (1-800-662-8802). Discharges in compliance with this permit and excess emissions previously reported under Condition 3(c)(2)(ii)(B) of this permit are exempt from this reporting requirement. [Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee) dated 12/11/00 and 7 Del. C., Chapter 60, Section 6028]
- iii. Prior to making a change as provided in Condition 4 [Operational Flexibility] of this permit the Company shall give written notice to the Department and EPA at least seven (7) calendar days before the change is to be made. [Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]
  - A. The seven (7) day period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a

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significant health, safety, or environmental hazard. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*

- B. If less than seven (7) calendar days notice is provided because of a need to respond more quickly to such unanticipated conditions, the Company shall provide notice to the Department and EPA as soon as possible after learning of the need to make the change, together with the reason(s) why advance notice could not be given. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
  - C. The written notice shall include all of the following information: *[Reference Regulation 30 Section 6(h)(1) dated 12/11/00]*
    - 1. The identification of the affected emission unit(s) and a description of the change to be made.
    - 2. The date on which the change will occur.
    - 3. Any changes in emissions.
    - 4. Any permit terms and conditions that are affected, including any new applicable requirements.
  - iv. The Company shall submit to the Department an annual emissions statement in accordance with Regulation No. 17 Section 7 not later than April 30 of each year, or other date as established by the Department, unless an extension by the Department is granted. Such emissions statement shall cover the preceding calendar year. *[Reference Regulation No. 17 Section 7 dated 1/11/93]*
  - v. If required, the Company shall submit to the Department a progress report for applicable requirement(s) identified in Condition 5 of this permit. Such reports shall be submitted not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (cover the period July 1 through December 31) of each calendar year. Each progress report shall include the following: *[Reference Regulation No. 30 Sections 5(d)(8) dated 11/15/93 and 6(c)(4) dated 12/11/00]*
    - A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved. *[Reference Regulation No. 30 Section 6(c)(4)(i) dated 12/11/00]*
    - B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. *[Reference Regulation No. 30 Section 6(c)(4)(ii) dated 12/11/00]*
  - vi. Nothing herein shall relieve the Company from any reporting requirements under federal, state or local laws. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee) dated 12/11/00]*
3. General Compliance Certification Requirements.
- i. Compliance with terms and conditions of this permit shall be certified to the Department not later than the last day of March of each year unless the terms or conditions in Condition 3 – Table 1 require compliance certifications to be submitted more frequently. Such certification shall cover the previous calendar year and shall be submitted on Form

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**Condition 3. Specific Requirements Continued**

AQM-1001BB. The Compliance Certification shall include the following information:  
*[Reference Regulation No. 30 Section 6(c)(5)(i) dated 12/11/00]*

- A. The identification of each term or condition of the permit that is the basis of the certification. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(A) dated 12/11/00]*
  - B. The Company's current compliance status, as shown by monitoring data and other information reasonably available to the Company. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(B) dated 12/11/00]*
  - C. Such certification shall indicate whether compliance was continuous or intermittent during the covered period. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(C) dated 12/11/00]*
  - D. The method(s) used for determining the compliance status of the Company, currently and over the reporting period as required by the monitoring, record keeping, and reporting required under Condition 3. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(D) dated 12/11/00]*
  - E. Such other facts as the Department may require to determine the compliance status of the source. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(E) dated 12/11/00]*
- ii. Each compliance certification shall be submitted to the Department and EPA and shall be certified in accordance with Condition 2(a) of this permit. *[Reference Regulation No. 30 Section 6(c)(5)(iv) dated 12/11/00]*
  - iii. Any additional information possessed by the Company that demonstrates noncompliance with any applicable requirement must also be used as the basis for compliance certifications. *[Reference 62 FR 8314 dated 2/24/97]*



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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<b>a. Emission Unit No. 1</b>		
<p>1. <u>i. Emission Standard</u> The flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of five (5) minutes during any 2 consecutive hours. [Reference 40 CFR Part 60.18(c)(1), 7/1/01 edition and Permit APC-90/0133-Operation-Amendment 2, Condition No. 6].</p>	<p>ii. <u>Compliance Method</u> Compliance shall be demonstrated in accordance with 40 CFR 60.18(f)(1) and record keeping. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p>iii. <u>Monitoring/Testing</u> A. Reference Method 22 shall be used to determine the compliance of the flares with the visible emission provisions of this condition. The observation period is 2 hours and shall be used according to Method 22. One observation shall be conducted every six months when the flare is in operation. [Reference 40 CFR 60.18(f)(1), 7/1/01 edition].</p> <p>B. Visual inspections for emissions shall be conducted daily when gas is directed to the flare. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p>C. Testing: That required by Condition 3(b)(1)(ii) of this permit</p> <p>iv. <u>Record Keeping</u> A. Observation records shall be maintained on site. [Reference Reg. No. 30 Section 6(a)(3)(i)(B) dated 12/11/00].</p> <p>B. Records of the control device vendor</p>	<p>v. <u>Reporting Requirement</u> All records indicating exceedances of the standard in addition to Condition 2(b)(9) and 3(c)(2).</p> <p>vi. <u>Certification Requirement</u> None in addition to Condition 3(c)(3).</p>

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**Condition 3 – Table 1 (Specific Requirements)**

<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
	specifications shall be maintained until removal. <b>[Reference 40 CFR Part 60.758(b), 7/1/01 edition]</b> .	
<p>2. i. <u>Operational Limitation</u></p> <p>A. Operate the flare at all times when the collected gas is routed to the system. <b>[Reference 40 CFR Parts 60.753(f) and 60.18(e), 7/1/01 edition]</b>.</p> <p>B. Landfill gas flow shall be diverted to the flare system for combustion within one (1) hour of gas compression plant shutdown during normal operating hours and within four (4) hours outside of normal operating hours. Normal operating hours shall mean Monday through Saturday, 0700 hours until 1500 hours, excluding holidays and weather-related landfill closings.</p> <p>C. The flare shall be maintained and operated in a manner consistent with the specifications in the operation manual. Any changes to the manual shall be submitted to the Department. <b>[Reference Permit APC-90/0133-Operation-Amendment 2, Condition No. 9]</b></p> <p>D. The owner/operator shall adhere to the flare gas heat content specifications in 40 CFR 60, Subpart A, §60.18(c)(3)(ii), 7/1/01 edition and the flare exit velocity specifications in 40 CFR Part 60, Subpart</p>	<p>ii. <u>Compliance Method</u></p> <p>Compliance shall be demonstrated by the monitoring/testing requirements specified in Condition 3-Table 1(a)(2)(iii), record keeping requirements specified in Condition 3-Table 1(a)(2)(iv), and reporting requirements specified in Condition 3-Table 1(a)(2)(v) of this section. <b>[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</b>.</p> <p>iii. <u>Monitoring/Testing</u></p> <p>The owner/operator shall monitor the following: <b>[Reference Regulation No. 30 Sections 6(a)(i)(B) and 6(b)(1) dated 12/11/00]</b></p> <p>A. The flare to ensure that it is operated and maintained in conformance with its design.</p> <p>B. The presence of flare pilot flame by using a thermocouple or any other equivalent device to detect the presence of a flame. <b>[Reference 40 CFR Part 60.18(f)(2) 7/1/01 edition]</b>.</p> <p>C. A device that records flow to or bypass of the flare. The Company shall either:</p> <ol style="list-style-type: none"> <li>1. Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or</li> </ol>	<p>v. <u>Reporting</u></p> <p>A. In addition to the requirements of Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit, the owner/operator shall submit to the Department semi-annual reports of all operational exceedances including the following information: <b>[Reference 40 CFR Part 60.757(f), 7/1/01 edition]</b></p> <ol style="list-style-type: none"> <li>1. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under ' 60.756.</li> <li>2. Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.</li> </ol> <p>B. Any changes to the operational manual shall be submitted to the Department within thirty (30) calendar days. <b>[Reference Reg. No. 30, Section 6(a)(3) (iii) dated 12/11/00]</b>.</p> <p>vi. <u>Certification Requirement</u></p> <p>None in addition to Condition 3(c)(3).</p>

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**Condition 3 – Table 1 (Specific Requirements)**

<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p>A, §60.18(c)(4), 7/1/01 edition.</p> <p>E. Total landfill gas processed through the flare shall not exceed <math>20 \times 10^6</math> scf based on rolling 12-month period.</p>	<p>2. Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.</p> <p><b>[Reference 40 CFR 60.756(c)(2), 7/1/01 edition]</b></p> <p>D. The flow rate of landfill gas to the flare each day.</p> <p>E. The operational limitations of Condition 3-Table 1(a) (2) (i).</p> <p>F. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u> In addition to the requirements of Condition 3(b)(1)(ii) and 3(b)(2) of this permit, the Company shall keep up-to-date, readily accessible continuous records of the following information: <b>[Reference 40 CFR Part 60.758(c)(4) 7/1/01 edition]</b></p> <p>A. Flare calibration, inspection and maintenance activities.</p> <p>B. Flare operational hours including flare start-up and shut down.</p> <p>C. All monitoring parameters specified in Condition 3-Table 1(a)(2)(iii)</p>	

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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>3. i. <u>Emission Limitations</u> Emission limitations are as follows: NO<sub>x</sub>=1.38 lbs/hr. Yearly NO<sub>x</sub> emissions shall not exceed 17.9 tons which is a total emissions from Chesmont flare and two (3000 scfm each) open flares designated as 'North flare' and 'East flare' combined; SO<sub>2</sub>=13.1 lbs/hr and 1.8 tons/yr; NMOCs=0.08 lbs/hr and 0.01 tons/yr; CO=25.5 lbs/hr and 3.5 tons/yr; PM=0.57 lbs/hr and 0.08 tons/yr; HCl=0.07 lbs/hr and 0.41 tons/yr; H<sub>2</sub>S=0.14 lbs/hr and 0.032 tons/yr; CH<sub>4</sub>=28.2 lbs/hr and 79.94 tons/yr. All yearly emissions are based on rolling 12-month period. <b>[Reference Permit APC-90/0133-Operation (Amendment 2) dated 9/26/97, Condition 1 and Permit amendment application dated 7/20/06 of permit APC-90/0133-Operation (Amendment 2)]</b></p>	<p>ii. <u>Compliance Method</u> Emission limitations are based on the amount of landfill gas combusted, maximum landfill gas flow capacity of the flare, and NMOC, H<sub>2</sub>S and CH<sub>4</sub> concentrations, approved emission factors and good engineering assumptions. Compliance shall be demonstrated by the monitoring, <b>[Reference Reg. No. 30, Section 6(a)(3) (ii)(C) and 6(b)(2) dated 12/11/00]</b></p> <p>iii. <u>Monitoring/Testing</u> A. The owner/operator shall monitor all appropriate parameters outlined in Condition 3-Table 1(a)((3)(ii) to comply with emission limitations. B. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u> Monthly and rolling twelve (12) month total emissions shall be calculated and recorded each month in a log for the emissions specified in Condition 3-Table 1(a)(3)(i).</p>	<p>v. <u>Certification Requirement</u> None in addition to Condition 3(c)(3).</p>

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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<b>b. Emission Unit No. 2                      Twelve Passive Elevated Combustion Flares for Odor Control</b>		
<p>1. i. <u>Operational Limitations</u></p> <p>A. Each portable passive flare shall be used for temporary installation and operation only as odor control device. The flares do not in any way relieve the owner/operator of the requirements of Condition 3-Table 1 (a) (c) &amp; (e), and can not be used as substitute control device. <b>[Reference Permit APC-95/0466-Operation dated 5/15/95, Condition No. 3 and Reg. No. 30, Sections 6(a)(1) and 6(b)(1) dated 12/11/00]</b></p> <p>B. Each flare unit shall be equipped with a flame arrestor to prevent flashback to the landfill. <b>[Reference Permit APC-95/0466-Operation dated 5/15/95, Condition. No. 9]</b></p> <p>C. Each portable passive flare assembly shall be tagged with a permanent identification that designates and identifies each individual flare unit. This designation shall be used in all relocation correspondence. The identification tag shall be of a physical form approved by the Department, such as a welded or riveted plate or engraving. <b>[Reference Permit APC-95/0466-Operation, Condition No. 5].</b></p> <p>D. Each flare unit and connected piping system shall be maintained in proper</p>	<p>ii. <u>Compliance Method</u></p> <p>Compliance with operational limitations shall be based upon record keeping and reporting requirements of this section. <b>[Reference Reg. No. 30, Sections 6(a)(3)(ii)(C) and 6(b)(2) dated 12/11/00].</b></p> <p>iii. <u>Monitoring/Testing</u></p> <p>The owner/operator shall monitor the following: <b>[Reference Reg. No. 30, Sections 6(a)(3)(i)(B) and 6(b)(2) dated 12/11/00]</b></p> <p>A. The number of days each flare is in use.</p> <p>B. The operational limitations of Condition 3-Table 1(b)(1)(i).</p> <p>C. Reference Method 22 shall be used to determine the compliance of the flares with the visible emissions provisions specified in Condition 3-Table 1(b)(1)(i)(F). The observation period is two (2) hours and shall be used according to Method 22. One observation shall be conducted within fifteen (15) calendar days of initial installation and after each extension. <b>[Reference 40 CFR Part 60.18(f)(1) 7/1/01 edition]</b></p> <p>D. Visual inspections shall be conducted each day that the flares are in place. <b>[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</b></p>	<p>v. <u>Reporting</u></p> <p>The owner/operator shall provide a minimum of 24 hours verbal notification to the Department prior to relocation of flares within or to any DSWA landfill site. Within 7 days of verbal notification, a written notification via email or letter shall be submitted to the Department. That written notification shall include but not be limited to the following information: <b>[Reference Permit APC-95/0466-Operation, Condition No. 7]</b></p> <p>A. Which flare(s) is (are) being relocated.</p> <p>B. The site of the relocated flare(s).</p> <p>C. The reason for the flare(s) relocation.</p> <p>D. The date and time the flare(s) was (were) relocated.</p> <p>E. The intended period of time the flare(s) is(are) proposed for use at that location.</p> <p>F. A detailed site plan describing collection pipes and connections to the flare(s).</p> <p>vi. <u>Certification Requirement</u></p> <p>None in addition to Condition 3(c)(3).</p>

Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>operating condition. [Reference Permit APC-95/0466-Operation, Condition No. 8]</p> <p>E. Each flare unit relocation in the landfill shall be for a period not to exceed 180 days unless another time period is submitted to and approved by the Department. Any request to extend that time shall be submitted to the Department a minimum of 30 days prior to the expiration of the 180 days. [Reference Permit APC-95/0466-Operation, Condition No. 6]</p> <p>F. The flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of five (5) minutes during any 2 consecutive hours. [Reference 40 CFR Part 60.18(c)(1), 7/1/01 edition and Permit APC-95/0466-Operation, Condition No. 11]</p>	<p>E. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u> In addition to the requirements of Conditions 3(b)(1)(ii) and 3(c)(2) of this permit, the owner/operator shall maintain records of the information monitored in Condition 3-Table 1(b)(1)(iii). [Reference Regulation No. 30 Sections 6(a)(3)(i)(B) and 6(b)(2) dated 12/11/00]</p>	
c. Emission Unit No. 3	Landfill and landfill Gas Collection System	
<p>1. i. <u>General Operational Standards</u> A. Operate the collection system such that gas is collected from each area, cell, or group of cells in the landfill in which the solid waste has been in place for a period of: 1. 5 years or more if active; or 2. 2 years or more if closed or at final grade. [Reference 40 CFR 60.753(a), 7/1/01]</p>	<p>ii. <u>Compliance Method</u> Compliance shall be determined by the record keeping and reporting requirements of this section. [Reference Reg. No. 30, Section 6(a) (3) dated 12/11/00]</p> <p>iii. <u>Monitoring/Testing</u> A. The owner/operator shall monitor all operational standards specified in Condition 3-Table 1(c)(1).</p>	<p>v. <u>Reporting</u> A. In addition to the requirements of Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit, the Company shall submit to the Department the following reports: 1. An amended design capacity report when there is an increase in the design capacity of the landfill, whether the increase results from an increase in the area or depth of the landfill, a change in the operating procedures of the landfill, or any other</p>

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<p>edition].</p> <p>B. Operate the collection system to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or system equipment. [Reference 40 CFR 60.752(b)(2)(ii)(A), 7/1/01 edition]</p> <p>C. Operate the system such that all collected gases are vented to the gas treatment plant that processes the collected gas for subsequent sale or use and/or to permitted landfill gas flares that are designed and operated in accordance with '60.18 [Reference 40 CFR Parts 60.753(e) and 60.752 (b)(2)(iii)(A) &amp; (C), 7/1/01 edition]</p> <p>D. Operate the control or treatment system at all times when the collected gas is routed to the system [Reference 40 CFR 60.753(f), 7/1/01 edition]</p> <p>E. In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour. [Reference 40 CFR 60.753(e), 7/1/01 edition].</p> <p>F. The provisions of this permit apply at all times, except during periods of start-up, shutdown, or malfunction, provided that</p>	<p>B. That required by Condition 3(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u></p> <p>A. The owner/operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [Reference 40 CFR Part 60.758(a), 7/1/01 edition].</p> <p>B. The owner/operator shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.</p> <p>1. The owner/operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under Condition 3–Table1(c)(1)(i)(A).</p> <p>2. The owner/operator subject to the provisions of this subpart shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or non-degradable waste excluded from collection as provided in '60.759(a)(3)(ii). [Reference 40 CFR Part 60.758(d), 7/1/01 edition]</p> <p>3. The owner/operator shall keep records of all</p>	<p>means. The amended design capacity report shall be submitted within 90 days of the issuance of an amended construction or operating permit, or the placement of waste in additional land, or the change in operating procedures which will result in an increase in maximum design capacity, whichever occurs first. [Reference 40 CFR Parts 60.752(a)(1) &amp; 60.757(a)(3), 7/1/01 edition]</p> <p>B. <b>MACT requirement:</b> The owner/operator shall submit to the Department compliance reports every 6 months (semiannually) as specified in 40 CFR Parts 63.1980(a) and (b), and Condition 3-Table 1(c)(6)(iv) including information on all deviations as defined in 40 CFR Part 63.1990 that occurred during the 6-month reporting period. The semi-annual reports are due by March 31 and September 31 of each calendar year. [Reference 40 CFR Parts 63.1980(a) &amp; (b), 7/1/01 edition]</p> <p>C. In addition to the information outlined in MACT requirement of this section, the owner/operator shall submit to the Department semi-annual reports of the recorded information in (1) through (6) below:</p> <p>1. Value and length of time for exceedance of applicable parameters monitored under Condition 3-Table 1(c)(1)(E)&amp;(F), and (c )(2), (c )(3), and (c )(4).</p> <p>2. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under Condition 3 - Table 1(a) and (d).</p> <p>3. Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.</p>

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<p>the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. <b>[Reference 40 CFR 60.755(e), 7/1/01 edition]</b>.</p> <p>G. The owner/operator shall implement a program to monitor for cover integrity and implement cover repairs as per permit SW-06/01 dated 1/6/06 issued by the Solid and Hazardous Waste Management Branch, DNREC or as the permit is modified in future.</p>	<p>inspections, cover integrity deficiencies, and the actions needed to repair the cover as specified in Condition 3-Table 1(c)(1)(i)(G).</p>	<p>4. All periods when the collection system was not operating in excess of 5 days.</p> <p>5. The location of each exceedance of the 500 parts per million methane concentration as provided in Condition 3-Table 1(c)(4) and the concentration recorded at each location for which an exceedance was recorded in the previous month.</p> <p>6. The date of installation and the location of each well or collection system expansion added pursuant to Condition 3-Table 1(c)(1)(A), (c)(2)(i)(B), and (c)(4)(iii)(G). <b>[Reference 40 CFR 60.757(f), 7/1/01 edition]</b></p> <p>D. The owner/operator shall submit an NMOC emission rate report to the Department annually, except as provided for in paragraph (3) below. The Department may request such additional information as may be necessary to verify the reported NMOC emission rate. <b>[Reference 40 CFR 60.757(b), 7/1/01 edition and Reg. No. 20, Section 28(a) dated 4/11/98]</b></p> <p>1. The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in ' 60.754 (a) or (b), as applicable.</p> <p>2. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.</p> <p>3. The owner/operator subject to the requirements of this subpart is exempted from the requirements of paragraphs 1 and 2 of this section, after the installation of a collection and control system in compliance with Condition 3-</p>



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Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
		<p>Table 1(a), (c), (d) and (e), during such time as the collection and control system is in operation and in compliance with Condition 3 -Table 1(a), (c), (d), and (e). <b>[Reference 40 CFR 60.757(b)(3), 7/1/01 edition]</b>.</p> <p>E. <u>Certification Requirement</u> None in addition to Condition 3(c)(3).</p>
<p>2. i. <u>Wellhead Pressure Standards</u> A. Operate the collection system with negative pressure at each wellhead except under condition the following conditions: <b>[Reference 40 CFR Part 60.753(b), 7/1/01 edition]</b>.</p> <ol style="list-style-type: none"><li>1. A fire or increased well temperature.</li><li>2. Use of geomembrane or synthetic cover, in which case the operator shall develop acceptable pressure limits in the design plan.</li><li>3. A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Department.</li></ol> <p>B. If a positive pressure exists, action shall be initiated by the owner or operator to correct the exceedance within 5 calendar days, except for the reasons allowed under paragraph (A) above. If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the</p>	<p>ii. <u>Compliance Method</u> Compliance shall be determined by the monitoring and record keeping requirements of this condition.</p> <p>iii. <u>Monitoring</u> The owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. <b>[Reference 40 CFR Parts 60.755(a)(3) and 60.756(a)(1), 7/1/01 edition]</b></p> <p>iv. <u>Record Keeping</u> A. That monitored in Condition 3-Table 1(c) (2)(i)(A) through (B). <b>[Reference 40 CFR Part 60.758(c), 7/1/01 edition]</b>.</p> <p>B. The owner/operator shall record instances when positive pressure occurs in efforts to avoid a fire. <b>[Reference 40 CFR Part 60.753(b)(1), 7/1/01 edition]</b>.</p> <p>C. Each owner/operator subject to the provisions of this subpart shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of</p>	<p>v. <u>Reporting</u> A. In addition to Condition 2(b)(9) and 3(c)(2), the owner/operator shall submit to the Department semi-annual reports of the following information:</p> <ol style="list-style-type: none"><li>1. The value and length of time for exceedance of applicable parameters monitored under Condition 3-Table 1(c)(2)(iii). <b>[Reference 40 CFR Part 60.757(f)(1), 7/1/97 edition]</b></li><li>2. The value and length of time for exceedance of applicable parameters monitored under Condition 3 -Table 1(c)(2)(vi)(B). <b>[Reference 40 CFR Part 60.753(b)(1), 7/1/01 edition]</b></li><li>3. The date of installation and the location of each well or collection system expansion added pursuant to Condition 3- Table 1(c)(2)(i)(B). <b>[Reference 40 CFR Part 60.757(f)(6) 7/1/97 edition]</b></li></ol> <p>vi. <u>Compliance Certification</u> None in addition to Condition 3(c)(3).</p>

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first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. <b>[Reference 40 CFR Part 60.755(a)(3), 7/1/01 edition]</b>	this operational standard, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance. <b>[Reference 40 CFR Part 60.758(e), 7/1/01 edition]</b> .  D. The corrective action taken in accordance with Condition 3 - Table 1(c)(2)(i)(B).	
<p>3. i. <u>Temperature and wellhead Gas Standards</u></p> <p>A. Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. <b>[Reference 40 CFR Part 60.753(c), 7/1/01 edition]</b>. Approval of gas wellhead operating temperature increase will be evaluated case-by-case basis.</p> <p>B. If a well exceeds one of the operating parameters specified in Condition 3-Table 1 (c)(3)(A), action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the</p>	<p>ii. <u>Compliance Method</u> Compliance shall be determined by the monitoring and record keeping requirements of Condition 3-Table 1 (c) (3)(i) (A) through (D).</p> <p>iii. <u>Monitoring/Testing</u> The owner or operator shall:</p> <ol style="list-style-type: none"><li>1. Monitor temperature of the landfill gas on a monthly basis; and</li><li>2. Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis.</li></ol> <p><b>[Reference 40 CFR Parts 60.755(a)(5) and 60.756(a)(2)&amp;(3), 7/1/01 edition]</b>.</p> <p>iv. <u>QA/QC Procedures</u></p> <p>A. The nitrogen level shall be determined using Method 3C.</p> <p>B. The oxygen shall be determined by an oxygen meter using Method 3A except that:</p> <ol style="list-style-type: none"><li>1. the span shall be set so that the regulatory limit is between 20 and 50 percent of the span;</li><li>2. a data recorder is not required;</li><li>3. only two calibration gases are required, a zero and span, and ambient air may be used as the</li></ol>	<p>vi. <u>Reporting</u> In addition to Condition 2(b)(9) and 3(c)(2), the Company shall submit to the Department reports specified under specified in Condition 3-Table 1(c)(6)(iv).</p> <p>vii. <u>Compliance Certification</u> None in addition to Condition 3(c)(3).</p>

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<p>first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. <b>[Reference 40 CFR Part 60.755(a)(5), 7/1/01 edition].</b></p> <p>C. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. <b>[Reference 40 CFR Part 60.755(a)(5), 7/1/01 edition].</b></p> <p>D. If corrective actions are taken as specified in paragraph(B) above, the monitored exceedance is not a violation of the operational requirements in this section. <b>[Reference 40 CFR Part 60.753(g), 7/1/01 edition].</b></p>	<p>span;</p> <p>4. a calibration error check is not required;</p> <p>5. the allowable sample bias, zero drift, and calibration drift are <math>\pm 10</math> percent. <b>[Reference 40 CFR Parts 60.755(a)(5) &amp; 60.753(c), 7/1/01 edition].</b></p> <p>v. <u>Record Keeping</u></p> <p>A. All operational standards monitored in Condition 3-Table 1(c)(3)(i)(A) through (D). <b>[Reference 40 CFR Part 60.758(c), 7/1/01 edition].</b></p> <p>B. The owner/operator shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of this operational standard, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance. <b>[Reference 40 CFR Part 60.758(e), 7/1/01 edition].</b></p>	
<p>4. i. <u>Methane Standard</u></p> <p>Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern</p>	<p>ii. <u>Compliance Method</u></p> <p>Compliance shall be determined by the monitoring and record keeping requirements of this condition.</p> <p>iii. <u>Monitoring/Testing</u></p> <p>The following procedures shall be used for compliance:</p> <p>A. The owner/operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern spaced 30 meters apart (or a site-specific established spacing) for each collection area on a quarterly basis using an</p>	<p>vi. <u>Reporting</u></p> <p>In addition to Condition 2(b)(9) and 3(c)(2), the Company shall submit to the Department annual reports of the following information:</p> <p>A. The value and length of time for exceedance of applicable parameters monitored. <b>[Reference 40 CFR Part 60.757(f)(1), 7/1/01 edition]</b></p> <p>B. The location of each exceedance of the 500 parts per million methane concentration and the concentration recorded at each location for which an exceedance was recorded in the previous month. <b>[Reference 40 CFR Part 60.757(f)(5), 7/1/01 edition]</b></p>

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<p>that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30-meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing. <b>[Reference 40 CFR Part 60.753(d), 7/1/01 edition]</b></p>	<p>organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in Condition 3-Table 1(c)(4)(iv). <b>[Reference 40 CFR Part 60.755(c)(1), 7/1/01 edition]</b></p> <p>B. The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells. <b>[Reference 40 CFR Part 60.755(c)(2), 7/1/01 edition]</b></p> <p>C. Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of this part, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions. <b>[Reference 40 CFR Part 60.755(c)(3), 7/1/01 edition].</b></p> <p>D. Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in this section shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements. <b>[Reference 40 CFR Part 60.755(c)(4), 7/1/01 edition]</b></p> <p>1. The location of each monitored exceedance shall be marked and the location recorded. <b>[Reference 40 CFR Part 60.755(c)(4)(i), 7/1/01 edition]</b></p> <p>2. Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the</p>	<p>C. The date of installation and the location of each well or collection system expansion added pursuant to Condition 3 - Table 1(c)(3)(i)(B). <b>[Reference 40 CFR Part 60.757(f)(6), 7/1/01 edition]</b></p> <p>vi. <u>Compliance Certification</u> None in addition to Condition 3(c)(3).</p>

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<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
	<p>gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance. <b>[Reference 40 CFR Part 60.755(c)(4)(ii), 7/1/01 edition]</b></p> <p>E. If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in paragraph (G) of this section shall be taken, and no further monitoring of that location is required until the action specified in paragraph (G) has been taken. <b>[Reference 40 CFR Part 60.755(c)(4)(iii), 7/1/01 edition]</b></p> <p>F. Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in paragraph (E) shall be re-monitored 1 month from the initial exceedance. If the 1-month remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified in paragraphs (E) or (G) shall be taken. <b>[Reference 40 CFR Part 60.755(c)(4)(iv), 7/1/01 edition]</b></p> <p>G. For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a</p>	

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	<p>quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding time line for installation may be submitted to the Department for approval. [Reference 40 CFR Part 60.755(c)(4)(v), 7/1/01 edition and Reg. No. 20, Section 28(a) dated 4/11/98]</p> <p>H. If corrective actions are taken as specified above, the monitored exceedance is not a violation of the operational requirements in this section. [Reference 40 CFR Part 60.753(g), 7/1/01 edition]</p> <p>iv. <u>QA/QC Procedures</u> The owner/operator shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:</p> <p>A. The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of appendix A of this part, except that "methane" shall replace all references to VOC.</p> <p>B. The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.</p> <p>C. To meet the performance evaluation requirements in section 3.1.3 of Method 21 of appendix A of this part, the instrument evaluation procedures of</p>	

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	<p>section 4.4 of Method 21 of appendix A of this part shall be used.</p> <p>D. The calibration procedures provided in section 4.2 of Method 21 of appendix A of this part shall be followed immediately before commencing a surface monitoring survey. <b>[Reference 40 CFR Parts 60.755(d) and 60.756(f), 7/1/01 edition]</b></p> <p>v. <u>Record Keeping</u></p> <p>A. The owner or operator shall keep all records and have them available for the Department's review on written or verbal request to comply with Condition 3-Table 1 (c)(4)(i), (c)(4) (ii) and(c )(4) iii).</p> <p>B. The Company shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of this operational standard, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance. <b>[Reference 40 CFR Part 60.758(e), 7/1/01 edition]</b></p> <p>C. The corrective action taken in accordance with Condition 3 - Table 1(a)(4)(i).</p>	
<p>5. <u>Well Decommissioning</u></p> <p>i. <u>Operational Limitations</u> <b>[Reference Reg. No 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</b></p>	<p>ii. <u>Compliance Method</u> Compliance shall be demonstrated by monitoring, record keeping, and reporting of this condition. <b>[Reference Reg. No 30 Sections 6(a)(3)(ii)(C) and 6(b)(1) dated 12/11/00]</b></p>	<p>vi. <u>Reporting</u> <b>[Reference Reg. No 30 Sections 6(a)(3)(ii)(C) and 6(b)(1) dated 12/11/00]</b></p> <p>A. Provide the Department with written notification at</p>

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**Condition 3 – Table 1 (Specific Requirements)**

<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p>A. The owner or operator shall get initial approval from the Department for gas well decommissioning.</p> <p>B. The wellhead valve(s) shall be closed.</p> <p>C. The remaining gas collection system shall be rebalanced and checked during the remainder of the current month and the following two months after valve closure to allow the collection system to adapt to operation without the contribution of the decommissioned wells.</p> <p>D. After DNREC review of data and upon written approval from the Department for final abandonment, remove wellhead(s), cut and cap the vacuum line and gas well casing a minimum of three (3) feet below ground, backfill with soil, and repair cap. The initial approval for well decommissioning from the Air Quality Management does not preclude any requirements by the Department's Solid and Hazardous Waste Management Branch (SHWMB).</p>	<p>iii. <u>Monitoring</u> [Reference Reg. No 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</p> <p>A. The owner/operator shall monitor the average weekly flow rate of landfill gas collected at the flare station for three (3) months after the well(s) decommissioning and compare with the three (3) months prior to well(s) decommissioning to determine if gas collection has increased, decreased or remained constant as a result of the decommissioning of the extraction points.</p> <p>B. The owner/operator shall conduct monthly surface monitoring in the vicinity of the decommissioned well(s) for three (3) consecutive months after initial well decommissioning to determine if additional wells are needed to control fugitive gas emissions or if the decommissioned well(s) need to be returned to service.</p> <p>C. Testing: That required by Condition (3)(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u> In addition to the requirements of Condition 3(b)(1)(ii) and 3(b)(2) of this permit, the owner or operator shall maintain records of the monitoring required by Condition 3–Table 1(c)(5)(iii).</p>	<p>least 15 days prior to beginning well decommissioning that includes the following:</p> <ol style="list-style-type: none"><li>1 A plot map that identifies all existing wells and identification of wells to be decommissioned.</li><li>2 Documentation that demonstrates that the wells have been unproductive.</li><li>3 Number of active wells in the vicinity.</li><li>4 Approximate radius of influence of the wells to be decommissioned.</li></ol> <p>B. Provide the monthly surface emission monitoring results as specified in Condition 3-Table 1( c ) (5)(iii)( B ) within 30 calendar days from the date of 3<sup>rd</sup> surface emission monitoring is conducted. The report will be reviewed by the Department for approval prior to formal abandonment.</p>
<p><b>6. MACT Requirement</b></p> <p>i. <u>Startup, Shutdown and Malfunction plan</u> The owner/operator shall develop and</p>	<p>ii. <u>Monitoring</u> In addition to the requirements of all monitoring conditions specified under Condition 3-Table 1(c),</p>	<p>iv. <u>Reporting</u> In addition to the requirements of Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit, the</p>



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<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p>implement a written startup, shutdown and malfunction plan (SSM) that describes, in detail, procedures for operating and maintaining the collection and control system and the control monitoring system (CMS) during periods of SSM and a program of corrective action for malfunctioning process and air pollution control equipment according to the provisions of 40 CFR Part 63.6(e)(3). <b>[Reference 40 CFR Part 63.1960, 1/16/03 edition and Permit APC-2004/0710-Operation(NSPS)(MACT) dated 9/28/05]</b></p>	<p>the owner or operator shall monitor the time, date, and length of all SSM and any actions taken at such times.</p> <p>iii. <u>Record Keeping</u> In addition to the requirements of Condition 3(b)(1)(ii) and 3(b)(2) of this permit, the owner/operator shall: <b>[Reference 40 CFR Part 63.10(b)(2), 7/1/01 edition]</b></p> <p>A. Keep the written SSM Plan on record to be made available for inspection upon request, for the life of the affected source.</p> <p>B. Keep previous versions of the SSM Plan on record if the SSM Plan is revised, for a period of 5 years after each revision to the plan.</p> <p>C. Maintain records of the occurrence and duration of each SSM of operation, and of the air pollution control equipment.</p> <p>D. Record all maintenance performed on the air pollution control equipment</p> <p>E. Record actions taken during periods of SSM (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the SSM Plan.</p> <p>F. Maintain all information necessary to demonstrate conformance with the affected source's SSM Plan</p>	<p>owner or operator shall submit to the Department the following reports: <b>[Reference 40 CFR Part 63.10(d)(5), 7/1/01]</b></p> <p>A. A SSM report shall be submitted semiannually.</p> <p>B. If actions taken during a SSM are consistent with the procedures specified in the SSM Plan, the owner or operator shall state such information in the report.</p> <p>C. The SSM report shall consist of a letter, containing the name, title, and signature of the responsible official certifying to its accuracy.</p> <p>D. SSM reports are due by March 31<sup>st</sup> and September 30<sup>th</sup> for each previous calendar half.</p> <p>E. Anytime an action taken by an owner/operator during a SSM is not consistent with the procedures specified in the SSM plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event.</p> <p><u>1</u> The immediate report shall consist of a telephone call or facsimile transmission within 2 working days after commencing actions.</p> <p><u>2</u> The letter shall contain the name, title and signature of the responsible official certifying its accuracy, explaining the circumstances of the event, the reasons for not following the SSM plan, and whether any excess emissions</p>

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	<p>when all actions taken during periods of SSM are consistent with the procedures specified in such plan.</p> <p>G. Record each period during which a CMS is malfunctioning or inoperative.</p>	<p>and/or parameter monitoring exceedances are believed to have occurred.</p> <p>v. <u>Compliance</u> Compliance with the operational limitations shall be based on record keeping and reporting requirements. <b>[Reference Regulation No. 30 Sections 6(a)(3)(ii)(C) and 6(b)(1) dated 12/11/00]</b></p>
<b>d. Emission Unit No. 4 Gas Plant</b>		
<p>1. i. <u>Operational Limitations</u> A. Route all the collected gas to:</p> <ol style="list-style-type: none"><li>1. the gas compression plant that processes the collected gas for subsequent sale or , use; or</li><li>2. permitted flare(s) designed and operated in accordance with '60.18. <b>[Reference 40 CFR Parts 60.752(b)(2)(iii)(A)&amp;(C), 7/1/01 edition]</b></li></ol> <p>B. The gas plant shall:</p> <ol style="list-style-type: none"><li>1. not be a source of emissions. <b>[Reference Reg. No. 30 Section 6(a)(1) dated 12/11/00]</b></li><li>2. be operated at all times when the collected gas is routed to the system. <b>[Reference 40 CFR Part 60.753(f), 7/1/01 edition]</b></li><li>3. be maintained and operated in a manner consistent with the specifications in the operation manual. <b>[Reference Permit APC-90/0133-Operation</b></li></ol>	<p>ii. <u>Compliance Method</u> Compliance shall be determined by the monitoring, record keeping and reporting requirements of this condition. <b>[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</b></p> <p>iii. <u>Monitoring/Testing</u> The owner/operator shall monitor all operational parameters as specified in Condition 3-Table 1 (d)(1)(i).</p> <p>iv. <u>Record Keeping</u> A. The owner or operator shall maintain all records specified under Condition 3-Table 1(d)(1)(iii) including the following information: <b>[Reference Permit APC-90/0133-Operation (Amendment 2), Condition 11]</b></p> <ol style="list-style-type: none"><li>1. The date and time the gas plant was shut down;</li><li>2. The date and time the flare was fired; and</li><li>3. The date and time the gas flow was restored to the plant.</li></ol>	<p>v. <u>Reporting</u> A. Any changes to the operational manual shall be submitted to the Department within one (1) month. <b>[Reference Permit APC-90/0133-Operation (Amendment 2), Condition 9]</b></p> <p>B. In addition to Condition 3(c)(2), the owner/operator shall submit to the Department annual reports of the following information:</p> <ol style="list-style-type: none"><li>1. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR Part 60.756. <b>[Reference 40 CFR Part 60.757(f)(2), 7/1/01 edition]</b></li><li>2. Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating. <b>[Reference 40 CFR Part 60.757(f)(3), 7/1/01 edition]</b></li></ol> <p>vi. <u>Certification Requirement</u> None in addition to Condition 3(c)(3).</p>

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<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p><b>(Amendment 2), Condition 9]</b></p> <p>C. Landfill gas flow shall be diverted to the flare system for combustion within one (1) hour of gas compression plant shutdown during normal operating hours and within four (4) hours outside of normal operating hours. The landfill gas shall be combusted by the flares until the gas is restored to the plant. Normal operating hours shall mean Monday through Saturday, 0700 hours until 1500 hours, excluding holidays and weather-related landfill closings. <b>[Reference Permit 2004/0710-Operation(NSPS)(MACT), Conditions 3.1.2.1, 3.1.2.2 and 3.1.2.3]</b></p> <p>D. In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour. <b>[Reference 40 CFR Part 60.753(e), 7/1/01 edition]</b></p> <p>E. The provisions of this permit apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. <b>[Reference 40 CFR Part 60.755(e), 7/1/01 edition]</b></p>	<p>B. Records of the control device vendor specifications shall be maintained until removal. <b>[Reference 40 CFR Part 60.758(b), 7/1/97 edition]</b></p> <p>C. The daily exit gas flow rate from gas plant as specified in Condition 3-Table 1 (d)(1)(i)(A).</p>	

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Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
F. DSWA shall upgrade the landfill gas collection system, including gas lines, process skid, and compressor so it is capable of processing and transmitting processed landfill gas at the rate of 9,000 scfm. When the landfill gas flow rate exceeds a daily average of 8,000 scfm for two (2) consecutive months, DSWA shall upgrade the system so it is capable of processing and transmitting processed landfill gas at the rate of 12,000 scfm. In any event, all landfill gas collected at the landfill either shall be processed by the gas compressor system or burned at a flare or flares. [Reference Permit 2004/0710-Operation (NSPS)(MACT), Condition 3.1.3 ]		
<b>e. Emission Unit Nos. 5 and 6</b>		
<b>North Flare (3000 scfm) and East flare (3000 scfm)</b>		
1. i. <u>Emission Standards</u> A. The flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours. [Reference 40 CFR Part 60.18(c)(1), 7/1/01 edition and Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 2.2 ]	ii. <u>Compliance method</u> The owner/operator shall be demonstrated by the monitoring, record keeping and reporting requirements of this condition. [Reference 40 CFR Part 60.18(f)(1), 7/1/01 edition, and Permit APC-2004/0710-Operation(NSPS)(MACT), Conditions 4 and 5, and Reg. No. 30, Section 6(a)(3) dated 12/11/00]  iii. <u>Monitoring/Testing</u> C. Visible emissions in accordance with the following: [Reference 40 CFR Part 60.18(f)(1), 7/1/01 edition and Permit APC-2004/0710-Operation(NSPS)(MACT),	v. <u>Reporting Requirement</u> All records indicating exceedances of the standard in addition to Condition 2(b)(9) and 3(c)(2).  vi. <u>Certification Requirement</u> None in addition to Condition 3(c)(3).

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<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
	<p><b>Conditions 4.2 and 4.3]</b></p> <p>1. Once each calendar quarter the owner/operator shall conduct a qualitative observation (similar to Method 22) of each flare in operation to evaluate the presence or absence of smoke and/or visible air contaminants during a continuous five (5) minute period while the flare is in operation. If visible emissions are detected, the owner or operator shall conduct a visual emissions determination by Reference Method 22.</p> <p>2. Reference Method 22 shall be used to determine compliance with Condition 3-Table 1(e)(1)(i). <b>[Reference 40 CFR Part 60, Appendix A, 7/1/01 edition].</b> The owner or operator shall take all means necessary to minimize emissions and to operate the flare without visible emissions. The term "all means necessary" may include but not limited to shutting down the flare. <b>[Reference Permit APC-2004/0710-Operation (NSPS)(MACT), Condition 4.2]</b></p> <p>iv. <u>Record Keeping</u> The owner/operator shall maintain copies of the following: <b>[Reference Permit APC-2004/0710-Operation (NSPS)(MACT), Condition 5.4,]</b></p> <p>A. Method 22 observations.</p> <p>B. A statement of qualifications of personnel</p>	

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	performing Method 22 and quarterly qualitative emission observations.	
<p>2. i. <u>Operational Limitation</u></p> <p>A. Operate the flare at all times when the collected gas is routed to the system. <b>[Reference 40 CFR Parts 60.753(f) and 60.18(e), 7/1/01 edition]</b></p> <p>B. Landfill gas flow shall be diverted to the flare system for combustion within one (1) hour of gas compression plant shutdown during normal operating hours and within four (4) hours outside of normal operating hours. Normal operating hours shall mean Monday through Saturday, 0700 hours until 1500 hours, excluding holidays and weather-related landfill closings. <b>[Reference Permit 2004/0710-Operation(NSPS)(MACT), Conditions 3.1.2.1 and 3.1.2.3]</b></p> <p>C. The landfill gas shall be combusted by the flares until the gas flow is restored to the plant. <b>[Reference Permit 2004/0710-Operation(NSPS)(MACT),Condition 3.1.2.2]</b></p> <p>D. The flare shall be operated with a flame present in accordance with the manufacturer's instructions and design parameters at all times when collected landfill gas is vented to them. <b>[Reference 40 CFR Part 60.18(c)(2), 7/1/01 edition and Permit APC-2004/0710-Operation (NSPS)(MACT), Condition 3.1.4]</b></p>	<p>ii. <u>Compliance Method</u></p> <p>Compliance shall be demonstrated by the monitoring and record keeping requirements of this condition. <b>[Reference 40 CFR Part 60.18(f)(1), 7/1/01 edition, Conditions 4 and 5, Permit APC-2004/0710-Operation (NSPS)(MACT) dated 9/28/05 and Reg. No. 30, Section 6(a)(3) dated 12/11/00]</b></p> <p>iii. <u>Monitoring</u></p> <p>The owner/operator shall monitor the following: <b>[Reference Regulation No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00, 40 CFR Part 60.18(f), 7/1/01 edition, and APC-2004/0710-Operation(NSPS)(MACT), Condition 4]</b></p> <p>A. The flare to ensure that it is operated and maintained in conformance with its design.</p> <p>B. The presence of a flare pilot flame by using a thermocouple or any other equivalent device to detect the presence of a flame.</p> <p>C. The flow rate of landfill gas to the flare each day.</p> <p>D. The operational limitations of Condition 3-Table 1(e)(2)(i).</p> <p>iv. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p>	<p>vi. <u>Reporting</u></p> <p>In addition to the requirements of Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit, the owner/operator shall submit to the Department semi-annual reports of the value and length of time for exceedance of applicable parameters monitored under Condition 3-Table 1(e)(2)(iii). <b>[Reference 40 CFR Part 60.757(f)(1), 7/1/01 edition]</b></p>

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<p>E. The flare flame detection device shall be in proper operation whenever the flare is in operation. <b>[Reference Permit 2004/0710-Operation (NSPS)(MACT), Condition 3.1.5]</b></p> <p>F. Each flare shall have an NMOC destruction efficiency of at least 98%. <b>[Reference 40 CFR Part 60.752(b)(iii), 7/1/01 edition and Permit 2004/0710-Operation (NSPS)(MACT), Condition 2.1.4.1]</b></p> <p>G. The owner/operator shall adhere to the flare gas heat content specifications in 40 CFR Part 60, Subpart A, §60.18(c)(3)(ii) dated 7/1/04 and the flare exit velocity specifications in 40 CFR Part 60, Subpart A, §60.18(c)(4) dated 7/1/04. <b>[Reference Permit 2004/0710-Operation (NSPS)(MACT), Condition 3.1.6]</b></p> <p>H. At all times, including periods of startup, shutdown, and malfunction, the owner/operator shall, to the extent practicable, maintain and operate the facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of</p>	<p>v. <u>Record Keeping</u></p> <p>A. The owner/operator shall maintain all records necessary for determining compliance with Condition 3-Table 1 (e)(2)(ii) in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request. All monitoring parameters specified in Condition 3-Table 1(e)(iv), including the following items, shall be recorded and maintain <b>[Reference Permit APC-2004/0710-Operation(NSPS)(MACT), Conditions 5.1 and 5.2]</b></p> <p>1. Daily and monthly flow of landfill gas to each flare.</p> <p>2. Periods of operation of each flare.</p> <p>B. Monthly and rolling twelve (12) month total emissions shall be calculated and recorded each month in a log for each of the following pollutants: <b>[Reference Permit APC-2004/0710-Operation (NSPS)(MACT), Condition 5.3]</b></p> <p>1. Nitrogen Oxide (separately for each flare);</p> <p>2. Carbon Monoxide;</p> <p>3. Particulate Matter;</p> <p>4. NMOCs;</p> <p>5. Methane;</p> <p>6. Sulfur Oxides; and</p> <p>7. Hydrochloric acid</p> <p>C. The owner/operator shall keep copies of the following: <b>[Reference Permit APC-2004/0710-</b></p>	

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<p>the source. [Reference Permit 2004/0710-Operation (NSPS)(MACT), Condition 3.2]</p> <p>I. All structural and mechanical components of the flare and gas collection system shall be maintained in proper operating condition. [Reference Permit 2004/0710-Operation (NSPS)(MACT), Condition 3.1.5]</p>	<p><b>Operation (NSPS)(MACT), Condition 5.4]</b></p> <ol style="list-style-type: none"><li>1. Data showing flame or flame pilot presence;</li><li>2. Inspections of flare monitoring equipment;</li><li>3. Flare velocity and landfill gas BTU content data;</li><li>4. Calibration records for all flow meters;</li><li>5. Landfill gas test information, including test protocol, raw data and final report;</li><li>6. All parts of the startup, shutdown and malfunction plan specified in Condition 3-table 1 (C)(6)(i)(A); and</li><li>7. The flare vendor specifications until removal of the flare. [Reference 40 CFR Part 60.758(b) dated 3/12/96]</li></ol>	
<p>3. i. <u>Emission Limitations</u> Based on rolling 12-month period, air contaminant emission levels from both flares combined shall not exceed the following: 37.2 tons (and 56.5 pounds per hour for each flare) of SO<sub>x</sub>, 338 tons of CO, 7.7 tons of PM, 1.8 tons of HCl, 2.4 tons of NMOCs, 374 tons of CH<sub>4</sub>. [Reference Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 2.1] The facility wide combined NO<sub>x</sub> emissions based on rolling 12-month period, including the two 3000 scfm open flares (emission units 5 and 6) and the Chesmont flare (emission unit 1) shall not exceed 17.9 tons. NO<sub>x</sub> emissions from each 3000 scfm open flare shall not exceed 14.8 tons.</p>	<p>ii. <u>Compliance Method</u> Compliance with the emission limitations specified under Condition 3–Table 1(e)(3)(i) shall be demonstrated each month based on the amount of gas combusted, actual NMOC, H<sub>2</sub>S and methane concentrations, approved emission factors and good engineering assumptions. [Reference Regulation No. 30 Sections 6(a)(3)(ii)(C) and 6(b)(2) dated 12/11/00, and Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 5.3]</p> <p>iii. <u>Monitoring/testing</u> The owner/operator shall monitor parameters specified under Conditions 3-Table 1 (e)(2) &amp; (3).</p> <p>iv. <u>Testing</u> That required by Condition 3(b)(1)(ii) of this</p>	<p>v. <u>Reporting</u> A. In addition to the requirements of Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit, the owner/operator shall submit to the Department semi-annual reports of all operational exceedances that contain the value and length of time for exceedance of parameters monitored under Condition 3–Table 1(b)(1)(iii). [Reference 40 CFR Parts 60.757(f) and (f)(1) 7/1/01 edition, 40 CFR Part 63.1980, 1/16/03 edition and Permit APC-2004/0710-Operation (NSPS)(MACT), Condition 6.5]</p>



Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	permit.	
<b>f. Insignificant Activities</b>		
<b>55 KW diesel fired emergency generator</b>		
<p>i.i. <u>Emission standards</u> None.</p> <p>ii. <u>Operational Limitation</u></p> <p>A. The owner/operator of an existing generator shall operate the generator in conformance with the generator manufacturer's instructions, such as following maintenance and operating requirements to help minimize emissions. <b>[Reference Regulation 1144, Section 3.1.1]</b></p> <p>B. The emergency generator shall burn distillate (No. 2) fuel only.</p> <p>C. Each shipment of fuel received for use in generator on or April 11, 2006, shall have a sulfur content equal to or less than 0.05% by weight. <b>[Reference Regulation 1144, Section 5.1]</b></p> <p>D. The 55 KW fuel burning equipment shall comply with the definition of 'emergency generator' as specified in Regulation 1144, Section 2.</p>	<p>iii. <u>Compliance Method</u> Compliance with the operational limitation of Condition 3 Table 1(f)(1)(ii) shall be based upon record keeping. <b>[Reference Reg. No. 30 Sections 6(a)(3)(ii)(C) and 6(b)(1) dated 12/11/00]</b></p> <p>iv. <u>Monitoring/Testing</u></p> <p>A. The owner/operator shall monitor parameters specified in Condition 3, Table 1 (f)(1)(ii) including the sulfur content of distillate fuel oil for each shipment of fuel oil. <b>[Reference Reg. No. 30 Sections 6(a)(3)(i)(B) &amp; 6(b)(1) dated 12/11/00]</b></p> <p>B. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p> <p>v. <u>Record keeping</u> In addition to the requirements of Conditions 3(b)(1)(ii) and 3(b)(2) of this permit, the owner/operator shall: <b>[Reference Regulation No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</b></p> <p>A. Maintain records of the monitoring required in Condition 3– Table 1(d)(1)(iii).</p> <p>B. Maintain records of the fuel supplier</p>	<p>vi. <u>Reporting</u> That required by Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c )(2) of this permit.</p>

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E. The emergency generator shall not be used during testing or for maintenance purposes before 5 p.m. on a day which has a Ground Level Ozone Pollution Forecast or Particle Pollution Forecast of "Code Red" or "Code Orange" as announced by the Department. [Reference Regulation 1144, Section 4.4]	certifications for fuel sulfur content that state: 1. The name of the oil supplier. 2. The oil complies with the specifications for fuel oil No. 2, as defined by the American Society for Testing and Materials in ASTM D396, "Standard Specification for Fuel Oils." 3. The sulfur content of the oil as determined by ASTM methods: D129, D1552, D2622, or D4294.	
<b>g. Facility Wide</b>		
1. i. <u>Operational Standard</u> Copies of this permit shall be available on the premises at the landfill office and at the gas plant office. [Reference Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 7.2 and APC-90/0133-Operation (Amendment 2), Condition 16]	ii. <u>Compliance Method</u> Compliance shall be demonstrated by the presence of the permit in the offices. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00] iii. <u>Monitoring/Testing</u> None. iv. <u>Record keeping</u> Copies of the permit shall be kept in the landfill office and in the gas plant office. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]	v. <u>Reporting Requirement</u> None.
2. i. <u>Emission Limitation</u> The owner/operator shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent	ii. <u>Compliance Method</u> Compliance shall be demonstrated by prior operation and maintenance of the emission units and record keeping. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00] iii. <u>Monitoring/Testing</u>	iv. <u>Reporting</u> That required by Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit.

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**Condition 3 – Table 1 (Specific Requirements)**

<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
opacity for an aggregate of more than three (3) minutes in any one (1) hour period or more than fifteen (15) minutes in any twenty-four (24) hour period. <b>[Reference Regulation No. 14 Section 2.1 dated 7/17/84]</b>	At a minimum, for emission units 1, 2, 4, 5 and 6, the owner or operator shall monitor visible emissions once each calendar year. <b>[Reference Reg. No. 30 Sections 6(a)(3)(i) and 6(b)(1) dated 12/11/00]</b>  iv. <u>Record keeping</u> In addition to the requirements of Conditions 3(b)(1)(ii) and 3(b)(2) of this permit, the Company shall maintain records of the information monitored in accordance with Condition 3-Table 1(f)(2)(iii). <b>[Reference Reg. No. 30 Sections 6(a)(3)(i) and 6(b)(1) dated 12/11/00]</b>	
3. i. <b><u>STATE ENFORCEABLE Only-Odors</u></b> The owner/operator shall not cause or allow the emission of odorous air contaminants such as to cause a condition of air pollution. <b>[Reference Regulation No. 19 Section 2.1 dated 2/1/81]</b>	ii. <u>Compliance Method</u> Compliance shall be demonstrated in accordance with the record keeping requirements of this condition. <b>[Reference Regulation No. 30, Section 6(a)(3) dated 12/11/00]</b>  iii. <u>Monitoring/Testing</u> Odor survey shall be conducted as per odor survey protocol and the followings:  A. The owner/operator shall conduct daily odor survey at the perimeter of the facility on days the landfill is operational. The daily surveys shall be conducted 6 days a week (Monday-Saturday). The owner or operator resume off day monitoring if there are any verified odor complaints on any off day in any subsequent quarter. <b>[Reference Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 4.9]</b>	v. <u>Reporting</u> Odors detected beyond the landfill perimeter shall be reported to the Department immediately. The results of all surveys shall be recorded and submitted to the Department monthly and shall include information specified under Condition 3-Table 1 (f)(3)(iv).

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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitations/Standards and/or Operational Limitations/Standards	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<p>iv. <u>Record keeping</u> The following information shall be recorded and maintained in a log. Any written log shall be initialed. [Reference Permit APC-2004/0710-Operation(NSPS)(MACT), Condition 5.2]</p> <ol style="list-style-type: none"><li>1. Presence or absence of odor.</li><li>2. Wind direction.</li><li>3. Location monitored.</li><li>4. Actions taken in response to odor found.</li></ol>	
<p>4. <u>Operations/Maintenance</u> i. <u>Operational Limitation</u> A. All structural and mechanical components of the equipment covered by this permit shall be maintained in proper operating condition and such equipment shall be operated at all times in a manner consistent with good air pollution control practice. [Reference Regulation No. 1 Section 3 dated 2/1/81 and APC-2004/0710-Construction(NSPS)(MACT), Condition 3.3]</p> <p>B. No person shall cause or allow land clearing, land grading (including grading for roads), excavation, or use of non-paved roads on private property unless methods, such as the application of water or the use of other techniques approved by the Department, are employed to control dust emission. [Reference Regulation No. 6 Section 3.1 dated 2/1/81]</p>	<p>ii. <u>Compliance Method</u> [Reference Regulation No. 30 Sections 6(a)(3)(ii)(C) and 6(b)(1) dated 12/11/00]</p> <p>A. Compliance with the operational limitation of Condition 3–Table 1(g)(2)(i)(A) shall be demonstrated by adherence to good engineering operations and work practices, and based upon record keeping for the proper operation and maintenance of the equipment covered by this permit.</p> <p>B. Compliance with the operational limitations of Condition 3 – Table 1(g)(2)(i)(B), (C), and (D) shall be demonstrated by record keeping.</p> <p>iii. <u>Monitoring/Testing</u> [Reference Regulation No. 1 Section 3 dated 2/1/81 and APC-2004/0710-Construction (NSPS)(MACT) dated 9/28/05 ]</p> <p>A. Each month, the owner/operator shall monitor the operational limitations specified under Condition 3–Table 1(f)(4)(i)(A). The owner/operator shall monitor all of the maintenance performed on equipment covered by this permit, and update records as</p>	<p>v. <u>Reporting</u> That required by Conditions 2(a), 2(f)(3), 3(b)(1)(ii), and 3(c)(2) of this permit.</p>

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**Condition 3 – Table 1 (Specific Requirements)**

<b>Emission Limitations/Standards and/or Operational Limitations/Standards</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p>C. No person shall cause or allow visible particulate emissions of any material being transported by a motor vehicle. <b>[Reference Regulation No. 6 Section 4.1 dated 2/1/81]</b></p> <p>D. No person shall cause or allow stockpiling or other storage of material or transport to or from a storage facility in such a manner as may cause a condition of air pollution. <b>[Reference Regulation No. 6 Section 6.1 dated 2/1/81]</b></p>	<p>needed.</p> <p>B. Each day, the owner/operator shall monitor the methods used to store and transport material and the methods used for control of fugitive dust from loading, unloading, clearing, grading, and excavation.</p> <p>C. <u>Testing</u>: That required by Condition 3(b)(1)(ii) of this permit.</p> <p>iv. <u>Record Keeping</u> In addition to the requirements of Condition 3(b)(1)(ii) and 3(b)(2) of this permit, the Company shall maintain records of the information monitored in accordance with Condition 3–Table 1(f)(4)(ii). <b>[Reference Regulation No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</b></p>	

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**Condition 4. Operational Flexibility.**

- a. In addition to the operation flexibility specifically provided in the terms and conditions detailed in Condition 3 – Table 1 of this permit, the Company is authorized to make any changes within the facility which contravenes the terms and conditions of this permit without a permit revision if the change:
1. Is not a modification or otherwise prohibited under any provision of Title I of the Act or the State Implementation Plan (SIP); and **[Reference Regulation No. 30 Section 6(h) dated 12/11/00]**
  2. Does not involve a change in any compliance schedule date; and *[Reference Regulation No. 30 Section 6(h) dated 12/11/00]*
  3. Does not result in a level of emissions exceeding the emissions allowable under this permit, whether expressed herein as a rate of emissions or in terms of total emissions. **[Reference Regulation No. 30 Section 6(h) dated 12/11/00]**
- b. Before making a change under the provisions of Condition 4(a) of this permit, the Company shall provide advance written notice to the Department and to the EPA in accordance with Condition 3(c)(2)(iii) of this permit. **[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]**
- c. The Company shall keep records of any changes made under Condition 4 of this permit in accordance with Condition 3(b)(2)(iv) of this permit. **[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]**

**Condition 5. Compliance Schedule.**

This permit does not contain a compliance schedule. **[Reference Regulation No. 30 Section 6(c)(3) dated 12/11/00]**

**Condition 6. Permit Shield.**

This permit does not provide a permit shield and shall not be presumed to provide such a shield. **[Reference Regulation No. 30 Section 6(f)(3) dated 12/11/00]**

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